

### **REMARKS**

An excess claim fee payment letter is submitted herewith for four excess total claims and one excess independent claim.

Claims 1-24 are all the claims presently pending in the application. Claims 1, 7, 8, 10, 11, 16, and 17 have been amended to more particularly define the invention. Claims 18-24 have been added to claim additional features of the invention.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicant specifically states that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Claims 7-8 and 16-17 stand rejected upon informalities (e.g., 35 U.S.C. § 112, second paragraph). Claims 1-2 and 9-12 stand rejected under 35 U.S.C. § 102(a) as being anticipated by Clarke (U.S. Patent No. 6,462,795). Claims 4-6 and 13-15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Clarke.

These rejections are respectfully traversed in the following discussion.

#### **I. THE CLAIMED INVENTION**

As described by, for example, claim 1, the claimed invention is directed to an image display apparatus. A display having an image display surface displays a two-dimensional image. An image transmitting panel is spaced apart from the image display surface for creating an imaging plane displaying a real image of the two-dimensional image in a space

opposite to the display;

The image transmitting panel and the imaging plane are non-parallel with each other, so that the real image displayed opposite the display has an enhanced three-dimensional impression of said two-dimensional image.

As discussed in the second full paragraph on page 2 of the specification, in the conventional method of enhancing the three-dimensional effect using lenticular lens, special strip-shaped images are required.

The claimed invention, on the other hand, allows a simple (e.g., non-modified) two-dimensional image to be enhanced without special viewer glasses or constructing special versions of the two-dimensional image.

## **II. THE 35 USC §112, SECOND PARAGRAPH REJECTION**

Claims 7-8 and 16-17 stand rejected under 35 U.S.C. §112, second paragraph. Although Applicants believe that one of ordinary skill in the art would readily understand the meaning of the original claim language, to expedite prosecution, the claims have been amended, above, to overcome this rejection. Specifically, wording is changed to address the Examiner's concerns, as best understood.

In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw this rejection.

## **III. THE PRIOR ART REJECTIONS**

The Examiner alleges that US Patent 6,462,795 to Clarke anticipates claims 1-3 and 9-12 and renders obvious claims 4-6 and 13-15.

Applicant submits, however, that there are elements of the claimed invention

which are neither taught nor suggested by Clarke.

Specifically, the purpose of Clarke is to provide a curved viewing screen 12 that conforms to a desired contour. There is no mention, teaching, or suggestion in Clarke of achieving the effect of the present invention in which the projected two-dimensional image has an enhanced three-dimensional effect.

Hence, turning to the clear language of the claims, there is no teaching or suggestion in Clarke for: "... wherein the image transmitting panel and the imaging plane are non-parallel with each other, so that said real image displayed opposite said display has an enhanced three-dimensional impression of said two-dimensional image", as required by claim 1. The remaining independent claims have similar wording.

Therefore, Applicant submits that there are elements of the claimed invention that are not taught or suggest by Clarke, and the Examiner is respectfully requested to withdraw this rejection.

#### **IV. FORMAL MATTERS AND CONCLUSION**

In view of the foregoing, Applicant submits that claims 1-24, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

Serial No. 10/693,494  
Docket No. US01-03014

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: 12/15/04



Frederick E. Cooperrider  
Registration No. 36,769

**McGinn & Gibb, PLLC**  
8321 Old Courthouse Road, Suite 200  
Vienna, VA 22182-3817  
(703) 761-4100  
**Customer No. 21254**